



REMARKS

General Comments:

Claims 1-11 are all the claims pending in the application. Claims 1, 5, 8 and 11 are independent claims.

Applicant thanks the Examiner for indicating that the drawings filed on March 19, 2001 have been accepted by the Patent Office. Further, Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority and for indicating the PTO's receipt of the certified copies of the priority documents pursuant to 35 U.S.C. § 119. However, Applicant notes that the Examiner did not identify which specific documents were received with reference to boxes 12(a)(1)-(3), in the Office Action Summary. Therefore, in the next office action, Applicant respectfully requests that the Examiner identify which specific documents were received by the PTO.

The Examiner has noted that Applicant's proposed amendment to the specification at page 8, line 18, is incorrect. In response, Applicant has amended the specification at page 8 as noted above, to indicate that the second instance of "204F" has been changed to --204E--.

The Examiner has objected to claim 2 as being in improper dependent form. Specifically, the Examiner asserts that claim 1 contains all of the limitations of claim 2 in steps (d) and (e). Applicant respectfully disagrees. Claim 2 recites the added limitation that the "start-point router" forwards the packet to the reserved route. Neither of steps (d) or (e) recites that the

“start-point router” itself, initiates forwarding. As such, Applicant respectfully submits that claim 2 is proper as submitted.

Claims 1-11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Haskin (U.S. Patent No. 6,813,242). Additionally, claims 3, 5, 6, 8, 9 and 11 stand rejected under 35 U.S.C. § 103(a) as being obvious over Haskin in view of Cao (U.S. Patent No. 6,721,269). Further, claim 4 stands rejected under 35 U.S.C. § 103(a) as being obvious over Haskin in view of Andersson (U.S. Patent No. 6,535,481). As a final matter, claims 7 and 10 stand rejected under 35 U.S.C. § 103(a) as being obvious over Haskin in view of Cao, and further in view of Dantu (U.S. Patent No. 6,532,088). Applicant respectfully disagrees and traverses these rejections as set out below.

Claims 1-11:

Independent claims 1, 5, 8 and 11 recite, among other things, a reserved route that “branches from the working route at a start point router.” Haskin’s alternate path rerouting method and apparatus fails to disclose, in any manner, such a “reserved route” that branches from a start-point router. Further, Haskin does not address sending a protected packet back to the start point router and forwarding the same to the reserved route, as also recited in independent claims 1, 5, 8 and 11.

The Examiner asserts that Haskin discloses alternate path (reserved route) 12, 24, 46, 67 that branches from ingress switch 1 (also referred to as “source switch 1”). (Fig. 2 of Haskin). However, as specifically disclosed in Haskin, “[i]n Fig. 2, thus, the entire alternative path AP consists of path segments labeled 53, 31, 12, 24, 46 and 67 in the event of origination at the last

hop switch 5.” (Col. 4, lines 27-29) (emphasis added). Accordingly, in the Office Action, the Examiner is only referring to a portion of Haskin’s alternative path. Haskin makes this clear by stating, “[t]he dash lines 53 and 31 between switches 5 and 1 illustrate such an internal segment of the alternative path.” (Col. 4, lines 3-6). Therefore, the portion referenced by the Examiner is the remaining segment of Haskin’s alternative path.

Haskin’s alternative path does not start at a start-point router. Instead, Haskin’s alternative path (reserved route) starts at the last working hop switch (protected switch 5 in the example in Haskin). As such, Haskin’s alternative path does not branch from a start-point router, as recited in independent claims 1, 5, 8 and 11. Accordingly, in Haskin, protected packets are not sent back to a start-point router from where they would be forwarded along the reserved route. Instead, the forwarding of protected packets starts at the beginning of Haskin’s alternative path. Simply put, there is no “send back to” point. Therefore, by definition, there is no “start-point” router in Haskin, as recited in the independent claims of the present application.

For these reasons, Haskin cannot anticipate any of the independent claims. Further, since claims 2-4, 6-7 and 9-10 depend from independent claims 1, 5 and 8, respectively, these claims are also patentable for the same reasons as set out above with respect to independent claims, 1, 5 and 8.

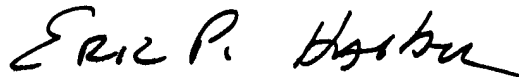
The remaining rejections all depend on the combination of Haskin with at least one other prior art reference. In this case, the additional references used to support the § 103(a) rejections are Cao, Andersson and Dantu. None of these references supply the missing elements from

Haskin, as set out above. Therefore, the Examiner's asserted § 103(a) combinations are improper. Claims 3-11 remain patentable in view of the asserted combinations of Haskin and Cao, Haskin and Andersson, and Haskin, Cao and Dantu.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Eric P. Halber
Registration No. 46,378

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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